

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LULA LOTT

PLAINTIFF

VS.

CIVIL ACTION NO. 5:06-cv-175 (DCB) (JMR)

KEITH GARNER, AMERIQUEST
MORTGAGE CO., and JOHN DOES A-Z

DEFENDANTS

ORDER

This cause is before the Court on the defendant Ameriquest Mortgage Co. ("Ameriquest")'s motion to dismiss complaint (**docket entry 12**). Having carefully considered the motion, and being fully advised in the premises, the Court finds as follows:

By Order of December 21, 2007, the plaintiff was ordered to respond to the defendant's motion to dismiss for failure to prosecute. The plaintiff has failed to respond. She has also failed to respond to the Court's August 3, 2007 Order directing her to inform the Court by September 4, 2007, whether she had selected new counsel or intended to proceed pro se with the prosecution of this action, and has otherwise failed to make any filing in this case since August 3, 2007. The Court finds that the defendant's motion to dismiss is well taken, and having warned the plaintiff that her case could be dismissed for failure to prosecute, the court now grants the defendant's motion. Accordingly,

IT IS HEREBY ORDERED that defendant Ameriquest Mortgage Co.'s motion to dismiss complaint (**docket entry 12**) is GRANTED.

A final judgment dismissing this action without prejudice

shall issue.

SO ORDERED, this the 10th day of January, 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE